

### **Remarks**

The Advisory Action and Notice of Non-compliant Amendment mailed on July 22, 2010 have been reviewed carefully and the application amended in a sincere effort to place the application in condition for allowance. Accordingly, reconsideration of the claims, and allowance of the same, are respectfully requested on the basis of the following remarks.

Upon entry of this Amendment, Claims 1, 3-9, 11, 14-16, and 20-22 will be pending in the application. Claims 2, 10, 12-13, and 17-19 have been cancelled. New claim 22 has been added to the application.

New claim 22 is identical to Claim 1 except that the surfactant in the composition is limited to a poly(dimethylsiloxane)-polyoxyethylene surfactant. It is within the Applicants right to present a claim that is narrower than what is disclosed in the application as filed. Accordingly, the Applicants submit that no issue of new matter is presented by this claim and that the claim is fully supported by the specification of the present application.

### **Rejection of Claims 1, 3-7, 11, 15-16, and 18-21 under 35 U.S.C. 112**

The Examiner has rejected Claims 1, 3-7, 11, 15-16, and 18-21 under 35 U.S.C. 112, first paragraph, for allegedly failing to comply with the written description requirement.

Claim 19 has been cancelled. Accordingly, the rejection of this claim is now moot.

Support for Claim 20 is clearly derived from paragraph [0051] of the application as published (U.S. Patent Publication No. 2004/0171784A1).

Support for Claim 21 is clearly derived from paragraph [0053] of the application as published (U.S. Patent Publication No. 2004/0171784A1).

### **Rejection of Claims 1, 3-7, 9, 11, 13-16, and 18-21 under 35 U.S.C. 103(a)**

The Examiner has rejected Claims 1, 3-7, 9, 11, 13-16, and 18-21 under 35 U.S.C. 103(a) for allegedly being unpatentable over U.S. Pat. No. 5,389,696 (hereinafter, "Dempsey") in view of U.S. Pat. No. 5,500,176 (hereinafter, "Parks") or U.S. Pat. Nos. 5,670,553 (hereinafter, "Mackey I") or 5,993,528 (hereinafter, "Mackey II") and further in view of U.S. Pat. Nos. 5,852,107 (hereinafter, "Gillis I") and 5,916,939 (hereinafter, "Gillis II").

Mackey II and Gillis II:

The Applicants submit that Mackey II and Gillis II cannot be used against the present application pursuant to 35 U.S.C. 103(c). The present application, which is assigned to Huntsman International LLC, is a continuation-in-part of U.S. Patent Application No. 09/954,311, which was assigned to Huntsman International LLC and which was filed on September 13, 2001 (see Exhibit A). U.S. Patent Application No. 09/954,311 is a national phase application of PCT Application No. PCT/US00/05768, which was filed on March 3, 2000 and which claimed priority to U.S. Provisional Patent Application No. 60/124,456. The provisional application, which was originally assigned to Imperial Chemical Industries PLC, was later assigned to Huntsman International LLC on June 27, 2000 (see Exhibit B). Both Mackey II and Gillis II were assigned from Imperial Chemical Industries PLC to Huntsman ICI Chemicals LLC on March 2, 2000 (see Exhibit C and Exhibit D, respectively). In December of 2000, Huntsman ICI Chemicals changed its corporate name to Huntsman International LLC (see Exhibit E).

Because Mackey II and Gillis II were, at the time the present invention was made, owned by the same entity, and have publication dates after that of the priority document of the present invention, the Applicants submit that these references cannot be used in a 103(a) rejection against the present application.

Dempsey, Parks, Mackey I, and Mackey II:

With respect to these rejections, the Applicants incorporate their arguments that were presented in the response dated July 14, 2010 in their entirety herein. Despite these arguments, the Examiner still maintains the following:

“...the skilled artisan would have reasonably expected release characteristics to some extent be based on quantity or concentration of siloxane surfactant utilized. One would expect that greater concentration of surfactant in the polymer would result in greater concentration of the surfactant in the polymer at the mold/polymer interface, thereby affecting mold release” (see page 2 of the Advisory Action).

Again, the Applicants would like to stress that the examples that were presented in the Applicants' arguments that were presented in the Response dated July 14, 2010 were provided in order to show that there is no nexus between mold release and the amount of surfactant utilized. If the references show no nexus between mold release and the amount of surfactant used, then it would be reasonable for one to argue that one skilled in the art would have no rationale to combined the references in a manner as proposed by the Examiner since the references did not recognize the surfactant as a result-effective variable.

Accordingly, the Applicants again submit that there is no rationale for one skilled in the art to combine the references as proposed by the Examiner since the references fail to disclose and/or suggest any type of nexus between mold release and the amount of surfactant used. This argument is supported by the various concessions by the Examiner's:

"...the argued examples neither establish nor disprove a nexus between mold release and amount of surfactant utilized" (see page 2 of the Advisory Action).

"there is no way to establish the relationship between the number of releases and the quantity of surfactant used" (see page 2 of the Advisory Action).

"In other words, there is nothing on the record to indicate that the number of releases is not based on some other variable" (see page 2 of the Advisory Action).

"Definitive conclusions pertaining to the relationship between number of releases and quantity of surfactant would have to be derived from examples where all factors are held constant save for the quantity of surfactant" (see page 2 of the Advisory Action).

All of these statements support the Applicants contention that none of the references recognized the surfactants disclosed therein as a result-effective variable.

Each surfactant, as the Examiner admitted, is one variable in a number of variables. Therefore, upon reviewing the references, one skilled in the art would have no rationale to make the modifications as suggested by the Examiner since the references failed to recognize the surfactants as result-effective variables.

Because there is no rationale to combine the references as proposed by the Examiner, the Applicants submit that a *prima facie* case of obviousness has not been properly presented and respectfully request that the rejection of these claims be withdrawn.

**Conclusion**

In light of the foregoing arguments, it is respectfully submitted that Claims 1, 3-9, 11, 14-16, and 20-22 are in proper form for issuance of a Notice of Allowance and such action is respectfully requested at an early date.

Respectfully Submitted,



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Attorney for Applicants  
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Facsimile No.: 281-719-4045

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The Woodlands, TX 77380



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Exhibit A

## Patent Assignment Abstract of Title

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## Total Assignments: 2

Patent #: NONE

Issue Dt:

Application #: 09954311

Filing Dt: 09/13/2001

Publication #: [20020077398](#)

Pub Dt: 06/20/2002

Inventors: Trent A. Shidaker, David W. Barels

Title: Internal mold release compositions

## Assignment: 1

Reel/Frame: [015334/0554](#)

Recorded: 08/21/2003

Pages: 186

Conveyance: SECURITY INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: [HUNTSMAN INTERNATIONAL LLC](#)

Exec Dt: 07/23/2003

Assignee: [DEUTSCHE BANK TRUST COMPANY AMERICAS, AS AGENT](#)31 WEST 52ND ST  
NY, NEW YORK 10019

Correspondent: WINSTON &amp; STRAWN LLP

LAURA KONRATH  
35 W. WACKER DR.  
CHICAGO, IL 60601

## Assignment: 2

Reel/Frame: [014833/0277](#)

Recorded: 12/29/2003

Pages: 6

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: [SHIDAKER, TRENT A.](#)

Exec Dt: 12/16/2003

[BAREIS, DAVID W.](#)

Exec Dt: 12/16/2003

Assignee: [HUNTSMAN INTERNATIONAL LLC](#)500 HUNTSMAN WAY  
SALT LAKE CITY, UTAH 84108

Correspondent: HUNTSMAN POLYURETHANES

PATENT COUNSEL  
286 MANTUA GROVE ROAD  
WEST DEPTFORD, NJ 08066-1732

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Web Interface last modified: October 18, 2008 v.2.0.2

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cc: J. Weiland  
7-7-00

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Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JUNE 27, 2000

PTAS

HUNTSMAN CORPORATION  
RUSSELL R. STOLLE  
P.O. BOX 15730  
AUSTIN, TX 78761



\*101330095A\*

Exhibit B

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/02/2000

REEL/FRAME: 010731/0327  
NUMBER OF PAGES: 10

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

**ASSIGNOR:**

IMPERIAL CHEMICAL INDUSTRIES PLC

DOC DATE: 06/30/1999

**ASSIGNEE:**

HUNTSMAN ICI CHEMICALS LLC  
500 HUNTSMAN WAY  
SALT LAKE CITY, UTAH 84108

SERIAL NUMBER: 07914228  
PATENT NUMBER:

FILING DATE: 07/13/1992  
ISSUE DATE:

SERIAL NUMBER: 07760191  
PATENT NUMBER:

FILING DATE: 09/16/1991  
ISSUE DATE:

SERIAL NUMBER: 07992279  
PATENT NUMBER:

FILING DATE: 12/16/1992  
ISSUE DATE:

SERIAL NUMBER: 08678391  
PATENT NUMBER:

FILING DATE: 07/02/1996  
ISSUE DATE:

PATENT & LICENSING DEPT.  
AUSTIN

JUL 05 2000

☐ RRS ☐ CJW ☐ MCV  
☐ RDB ☐ AGT

SERIAL NUMBER: 60104547  
PATENT NUMBER:

FILING DATE: 10/16/1998  
ISSUE DATE:

SERIAL NUMBER: 60108611  
PATENT NUMBER:

FILING DATE: 11/16/1998  
ISSUE DATE:

SERIAL NUMBER: 60108612  
PATENT NUMBER:

FILING DATE: 11/16/1998  
ISSUE DATE:

SERIAL NUMBER: 60121292  
PATENT NUMBER:

FILING DATE: 02/23/1999  
ISSUE DATE:

→ SERIAL NUMBER: 60124456  
PATENT NUMBER:

FILING DATE: 03/15/1999 ←  
ISSUE DATE:

SERIAL NUMBER: 60129407  
PATENT NUMBER:

FILING DATE: 04/15/1999  
ISSUE DATE:

SERIAL NUMBER: 60117410  
PATENT NUMBER:

FILING DATE: 01/27/1999  
ISSUE DATE:

SERIAL NUMBER: 60117417  
PATENT NUMBER:

FILING DATE: 01/27/1999  
ISSUE DATE:

SERIAL NUMBER: 60117411  
PATENT NUMBER:

FILING DATE: 01/27/1999  
ISSUE DATE:

SERIAL NUMBER: 06100877  
PATENT NUMBER: 4448938

FILING DATE: 12/06/1979  
ISSUE DATE: 05/15/1984

SERIAL NUMBER: 06139676  
PATENT NUMBER: 4292363

FILING DATE: 04/14/1980  
ISSUE DATE: 09/29/1981

SERIAL NUMBER: 06141928  
PATENT NUMBER: 4318761

FILING DATE: 04/21/1980  
ISSUE DATE: 03/09/1982

SERIAL NUMBER: 06289731  
PATENT NUMBER: 4396673

FILING DATE: 08/03/1981  
ISSUE DATE: 08/02/1983

SERIAL NUMBER: 06341177  
PATENT NUMBER: 4431455

FILING DATE: 01/20/1982  
ISSUE DATE: 02/14/1984

SERIAL NUMBER: 06400222  
PATENT NUMBER: 4452923

FILING DATE: 07/20/1982  
ISSUE DATE: 06/05/1984

SERIAL NUMBER: 06880729  
PATENT NUMBER: 4784904

FILING DATE: 07/01/1986  
ISSUE DATE: 11/15/1988

SERIAL NUMBER: 07016888  
PATENT NUMBER: 4771025

FILING DATE: 12/18/1986  
ISSUE DATE: 09/13/1988

SERIAL NUMBER: 07236282  
PATENT NUMBER: 4885348

FILING DATE: 08/19/1988  
ISSUE DATE: 12/05/1989



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Exhibit C

## Patent Assignment Abstract of Title

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## Total Assignments: 4

Patent #: 5993528

Issue Dt: 11/30/1999

Application #: 08859358

Filing Dt: 05/20/1997

Inventor: PAUL WILLIAM MACKEY

Title: INTERNAL MOLD RELEASE COMPOSITIONS

## Assignment: 1

Reel/Frame: 008778/0529

Recorded: 10/27/1997

Pages: 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: MACKEY, PAUL WILLIAM

Exec Dt: 09/15/1997

Assignee: IMPERIAL CHEMICAL INDUSTRIES PLC  
IMPERIAL CHEMICAL HOUSE, MILLBANK  
LONDON SW1P 3JF, UNITED KINGDOM

Correspondent: ICI AMERICAS INC., JOHN F. DANIELS  
PATENT AND TRADEMARK ADMINISTRATOR  
CONCORD PLAZA  
3411 SILVERSIDE ROAD/ P.O. BOX 15391  
WILMINGTON, DE 19850

## Assignment: 2

Reel/Frame: 010731/0327

Recorded: 03/02/2000

Pages: 10

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: IMPERIAL CHEMICAL INDUSTRIES PLC

Exec Dt: 06/30/1999

Assignee: HUNTSMAN ICI CHEMICALS LLC  
500 HUNTSMAN WAY  
SALT LAKE CITY, UTAH 84108

Correspondent: HUNTSMAN CORPORATION  
RUSSELL R. STOLLE  
P.O. BOX 15730  
AUSTIN, TX 78761

## Assignment: 3

Reel/Frame: 015334/0554

Recorded: 08/21/2003

Pages: 186

Conveyance: SECURITY INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: HUNTSMAN INTERNATIONAL LLC

Exec Dt: 07/23/2003

Assignee: DEUTSCHE BANK TRUST COMPANY AMERICAS, AS AGENT  
31 WEST 52ND ST  
NY, NEW YORK 10019

Correspondent: WINSTON & STRAWN LLP  
LAURA KONRATH  
35 W. WACKER DR.  
CHICAGO, IL 60601

## Assignment: 4

Reel/Frame: 021158/0479

Recorded: 11/21/2005

Pages: 46

Conveyance: SECURITY INTEREST (SEE DOCUMENT FOR DETAILS).



**Assignor:** HUNTSMAN INTERNATIONAL LLC

**Exec Dt:** 08/16/2005

**Assignee:** DEUTSCHE BANK AG NEW YORK BRANCH, AS AGENT

31 W. 52ND ST.  
NEW YORK, NEW YORK 10022

**Correspondent:** LAURA KONRATH

WINSTON & STRAWN LLP  
35 W. WACKER DR.  
33RD FLOOR  
CHICAGO, IL 60601

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Exhibit D

## Patent Assignment Abstract of Title

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## Total Assignments: 2

Patent #: 5916939

Issue Dt: 06/29/1999

Application #: 08375883

Filing Dt: 01/20/1995

Inventors: HERBERT R. GILLIS, PAUL W. MACKEY

Title: INTERNAL MOLD RELEASE COMPOSITIONS

## Assignment: 1

Reel/Frame: 007412/0077

Recorded: 03/24/1995

Pages: 5

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: GILLIS, HERBERT RUSSELL

Exec Dt: 02/28/1995

MACKEY, PAUL WILLIAM

Exec Dt: 02/27/1995

Assignee: IMPERIAL CHEMICAL INDUSTRIES PLC

IMPERIAL CHEMICAL HOUSE, MILLBANK LONDON SW1P 3JF, ENGLAND

Correspondent: ICI AMERICAS INC. - MICHAEL R. NAGY

LAW DEPARTMENT

CONCORD PLAZA, 3411 SILVERSIDE ROAD

POST OFFICE BOX 15391

WILMINGTON, DE 19850

## Assignment: 2

Reel/Frame: 010731/0327

Recorded: 03/02/2000

Pages: 10

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: IMPERIAL CHEMICAL INDUSTRIES PLC

Exec Dt: 06/30/1999

Assignee: HUNTSMAN ICI CHEMICALS LLC

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Correspondent: HUNTSMAN CORPORATION

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CERTIFICATE OF AMENDMENT

Exhibit E

TO

CERTIFICATE OF FORMATION

OF

HUNTSMAN ICI CHEMICALS LLC

Pursuant to Section 18-202 of the  
Delaware Limited Liability Company Act

1. The name of the limited liability company is Huntsman ICI Chemicals LLC (the "Company").

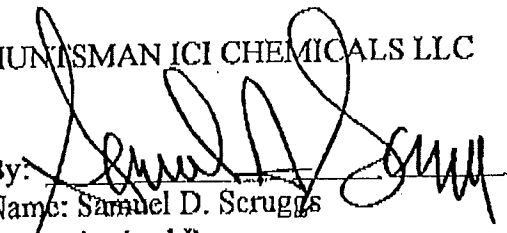
2. The Certificate of Formation is hereby amended to change the name of the Company to Huntsman International LLC.

3. Accordingly, Article 1 of the Certificate of Formation shall, as amended, read as follows:

"1. The name of the limited liability company is  
Huntsman International LLC."

IN WITNESS WHEREOF, the undersigned authorized person has executed this Certificate of Amendment this 7th day of December, 2000.

HUNTSMAN ICI CHEMICALS LLC

By:   
Name: Samuel D. Scruggs  
Its: Authorized Person

State of Delaware  
Office of the Secretary of State

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PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "HUNTSMAN ICI CHEMICALS LLC", FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO "HUNTSMAN INTERNATIONAL LLC", THE EIGHTH DAY OF DECEMBER, A.D. 2000, AT 12:30 O'CLOCK P.M.



*Edward J. Freel*  
\_\_\_\_\_  
Edward J. Freel, Secretary of State